

Vincent F. Papalia, Esq.
Mark A. Roney, Esq.
SAIBER LLC
One Gateway Center, 13th Floor
Newark, NJ 07102
Telephone: (973) 622-3333
Facsimile: (973) 622-3349

Attorneys for the Borough of Roseland

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

EAST COAST SANITATION CO., INC.,

Debtor.

Chapter 11

Case No. 09-30888 (DHS)

Honorable Donald H. Steckroth

**ORDER DETERMINING THAT AUTOMATIC STAY OF 11 U.S.C. § 362(a) IS NOT
APPLICABLE TO THE BOROUGH OF ROSELAND'S EXERCISE OF ITS POLICE
POWER AND/OR REGULATORY AUTHORITY TO TERMINATE ITS CONTRACT
WITH DEBTOR**

The relief set forth on the following page two (2), is hereby **ORDERED**.

Page 2 of 2

Debtor: East Coast Sanitation Co., Inc.

Case No.: 09-30888 (DHS)

Caption of Order: **ORDER DETERMINING THAT THE AUTOMATIC STAY OF
11 U.S.C. § 362(a) IS NOT APPLICABLE TO THE BOROUGH
OF ROSELAND'S EXERCISE OF ITS POLICE POWER
AND/OR REGULATORY AUTHORITY TO TERMINATE ITS
CONTRACT WITH THE DEBTOR**

Upon the Motion of the Borough of Roseland ("Roseland") by and through its attorneys, Saiber LLC, for entry of a Order determining that the automatic stay of 11 U.S.C. §§ 362(a) does not apply to the Borough of Roseland's police power and/or regulatory authority to terminate a waste hauling contract with debtor or, alternatively, that "cause" exists for relief from the automatic stay pursuant to 11 U.S.C. §§ 362(d)(1); the Court having considered the moving papers, any opposition filed thereto and the arguments of counsel; good and sufficient notice having been provided to all interested parties; and for good cause shown, it is hereby,

ORDERED, that the relief requested in Roseland's Motion is granted; and it is further

ORDERED, that the automatic stay provision of the Bankruptcy Code is not applicable to Roseland's exercise of its police and regulatory powers to take any and all contractually required action under its contract with debtor to initiate the process for terminating the contract and/or to terminate said contract; and it is further

ORDERED, that a copy of this Order be served on all parties in interest within seven (7) days of its receipt.